

ORDINANCE NO. 2012-16

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, AMENDING CHAPTER 1, GENERAL PROVISIONS, BY AMENDING ARTICLE 1.700, RULES OF PROCEDURE FOR THE CONDUCT OF CITY COUNCIL MEETINGS, FOR REGULAR, SPECIAL AND WORKSHOP MEETINGS; AND MAKING OTHER PROVISIONS RELATED THERETO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRING VALLEY VILLAGE, TEXAS, THAT:

Section 1. Chapter 1, General Provisions, of the Code of Ordinances of the City of Spring Valley Village, Texas, is hereby amended by amending Article 1.700 to read as follows:

“ARTICLE 1.700 RULES OF PROCEDURE FOR THE CONDUCT OF CITY COUNCIL MEETINGS

§ 1.701 Regular Meetings

Regular meetings of the City Council shall be held on any Tuesday of the month at City Hall, 1025 Campbell Road, in the Council Chambers. Provided further, the City Council may authorize the holding of a regular meeting at a time, place or location other than as set forth herein if deemed necessary by City Council due to conflict with City holidays, or for public accommodation and convenience.

(Ordinance 252, Book I, Section 2, adopted 1-26-93; Ord. 2004-11 adopted 7-27-04; Ord. 2004-19 adopted 10-26-04)

§ 1.702 Special Meetings

Special meetings of the Council shall be called by the Mayor upon his or her own motion, or on the written request of a majority of the members of Council qualified and serving, or upon motion and majority vote of Council during a Council meeting; the City Secretary shall post notice of such meeting in accordance with state law.

(Ordinance 123, Book I, Section 2, adopted 8-17-82)

§ 1.703 Opportunity for Citizens to Speak

Any citizen of the City shall have a reasonable opportunity to be heard at any regular or special meeting of the Council in regard to any matter to be considered for action by the Council at such meeting (including those who have appeared during the course of the meeting at the time for public hearings), provided, such citizen complies with the rules and regulations provided in this article, or which the Council may adopt or find necessary

under the circumstances then existing, regarding the participation of the public in such meeting.

(Ordinance 252, Book I, Section 3, adopted 1-26-93)

§ 1.704 Mayor to Preside at Meetings

The Mayor shall preside at all meetings of the Council, but if for any reason the Mayor is absent from the City, sick or unable to act, then the Mayor Pro Tem shall preside at such meetings and at such times shall exercise all of the powers and discharge the duties of the Mayor.

(Ordinance 123, Book I, Section 4, adopted 8-17-82)

§ 1.705 Order of Agenda Items

- (a) The following order of agenda items will be generally observed for City Council meetings:
- (1) Call the Roll and Announce a Quorum is Present;
 - (2) Introductions;
 - (3) Proclamations/Announcements;
 - (4) Public Comments / Personal Appearances / Public Hearings;
 - (5) Receipt of Reports;
 - (6) Consent Agenda;
 - (7) Discussion Items/Action Items;
 - (8) Adjournment.
- (b) Executive Sessions. Executive Sessions shall be conducted in accordance with the Texas Open Meetings Act, as amended, whenever the City Council finds appropriate during a meeting.
- (c) Speakers must identify themselves. Each member of the public speaking before Council shall preface any statement with her or his name and home address.
- (d) Public Comments. Any person desiring to be heard by the City Council on any matter shall be heard during the public comments, provided they are not repetitive of those presented earlier in the meeting. If numerous citizens would offer repetitious or cumulative statements, such citizens are encouraged to select a member of their group to act as spokesperson; provided further, that a time limit of three (3) minutes shall be imposed for such statements unless waived, dispensed with, shortened, or lengthened by consent of a majority of the members of the Council.

- (e) Personal Appearances (Public Comments). Any person or group desiring to have their name on the agenda to appear before the City Council during the public comments portion of the meeting shall contact the City Secretary before 12:00 noon on the Tuesday immediately preceding the Council meeting and request recognition, in writing, during the public comments period. Such citizen or group shall specify to the City Secretary their name, address, and matter to be discussed. A time limit of eight (8) minutes shall be imposed unless waived, dispensed with, shortened, or lengthened by consent of a majority of the members of the Council. The City Council may take action during the personal appearances if the agenda item is sufficient to do so. This provision shall not apply to special public hearings called by the Council for specific purposes.
- (f) Citizens heard on agenda items. Any citizen desiring to be heard or to speak on a particular item of business appearing on the agenda for action, including a public hearing, may do so only after such agenda item has been announced, and prior to consideration and discussion of Council of same, provided the presiding officer, at her or his own discretion or by motion of Council, shall first recognize such citizen. A time limit of three (3) minutes shall be imposed for such statement unless waived, dispensed with, shortened, or lengthened by consent of a majority of the members of the Council.
- (g) Consent agenda. Items placed on the agenda as "consent" agenda items shall be routine matters not normally requiring individual attention, and all items thereon shall be approved by a single motion and vote without debate. Consent items shall be shown in the minutes as having been approved unanimously unless a member of Council wishes the record to show that member's vote as otherwise. If a member of Council objects to a consent item, it shall be removed from the list and added to the regular agenda at an appropriate place for separate consideration.

(Ordinance 252, Book I, Section 4, adopted 1-26-93; Ordinance 96-27 adopted 9-24-96; Ord. 2004-11 adopted 7-27-04)

§ 1.706 Council Members to Be Permitted to Address Council

Each member of the Council shall be permitted to address the Council while either seated or standing and shall not be interrupted while speaking without his or her consent except by a call to order of the presiding officer; provided, however, such member of Council shall be recognized by the presiding officer before making such statement, and provided further that if a matter is before Council for consideration, such statement shall be related to the matter before the Council. Such Council Members speaking shall attempt to keep such comments to a minimum, but in no case shall such comments exceed five (5) minutes in length. If the presiding officer feels that discussion is becoming repetitive and redundant, the presiding officer may interrupt discussion by a member and call for the question.

(Ordinance 123, Book I, Section 6, adopted 8-17-82)

§ 1.707 Question of Order

All questions of order shall be decided by the presiding officer, with advice of the attorney for the City, with the right of appeal from the decision of the presiding officer to the Council, a majority of whom may override such decision. The presiding officer shall preserve order and decorum and, if necessary, shall cause to be silenced or removed from the Council Chamber any person speaking out of order or disrupting the order of the meeting.

(Ordinance 123, Book I, Section 7, adopted 8-17-82)

§ 1.708 Robert's Rules of Order to Be Followed

The rules of procedure as stated in Robert's Rules of Order Revised, the most recent edition available, shall govern the proceedings of the Council except when in conflict with the provisions of state law or of this article or other City ordinance.

(Ordinance 123, Book I, Section 8, adopted 8-17-82)

§ 1.709 Preparation of Agenda

Items requested by the public to be included on the agenda shall be submitted, in writing, to the City Secretary before 12:00 noon on the Tuesday preceding the meeting, unless prior approval by the Mayor has been obtained to submit the item after that time.

No item shall be included in the agenda at the request of Council unless a request to include the same has been made by two (2) or more members of Council to the Mayor or City Administrator before 12:00 noon on the Tuesday preceding the meeting. The City Administrator, Mayor, and City Secretary shall finalize the agenda on the Thursday prior to the meeting date. This provision may be suspended if inconsistent with the provisions of state and federal law or in the event of an emergency or urgent public necessity as determined by the City.

(Ordinance 252, Book I, Section 5, adopted 1-26-93; Ord. 2004-11 adopted 7-27-04)

§1.710 Workshop Meetings

A workshop meeting may be called for the purpose of conducting a more detailed and thorough exploration of matters that may properly come before Council. In the event of a call of a workshop meeting by the City Council, the following rules shall prevail. (All rules herein set out which are in conflict with those rules previously stated shall be superseded and suspended.)

(a) **Agenda.** In a workshop meeting only a limited number of matters shall be considered by Council, and therefore, sufficient time for consideration of such matters shall be provided. No formal agenda procedure shall be prescribed.

(b) **Documents and Exhibits.** All documents, and exhibits, maps, plats, architectural drawings, specifications, or other similar documents, where possible, shall be made available to Council at least 72 hours before the beginning of such workshop meeting, in order that sufficient and ample time may be allowed for each member of Council to have studied such documents and to be prepared to discuss the same in the workshop.

(c) **Council Action.** No formal ordinance or motions shall be considered at a workshop meeting, with the exception of informal motions, which may be passed by a majority vote of the City Council. An informal motion may be made requesting an item be put on the agenda, requesting additional information or setting additional workshop meetings.

(d) **Audience Comments and Questions.** Comments or questions from the audience cannot be considered orally at the workshop meeting without consent of a majority of Council. However, immediately preceding adjournment, a maximum period of 30 minutes may be set aside by a majority vote of Council Members present, during which any citizen of the City may present question or make statements concerning matters under discussion.

Section 2. In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Spring Valley Village, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 3. This ordinances shall take effect immediately upon its adoption by City Council.

PASSED, APPROVED, AND ADOPTED this 24th day of July 2012.



Tom Ramsey
Tom Ramsey, Mayor

ATTEST:

Betty Lusk
Betty Lusk, City Secretary